

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF MASSACHUSETTS

KINGVISION PAY-PER-VIEW, LTD.)

Plaintiff,)

v.)

PAUL HAMMOND, et al.,)

Defendants.)

Civil Action No. 05-10262-LTS COURT
DISTRICT OF MASS.

JOINT PRETRIAL MEMORANDUM

(A) Plaintiff's Evidence: Investigator Cody Waller will testify that he was present at Paul's on the Square on March 1, 2003, and that the establishment was showing the John Ruiz v. Roy Jones pay per view boxing program (the "event") without a license to do so from the license holder (the "Plaintiff"). Marcus W. Corwin or Skip Klauber, Plaintiff's national counsel, will testify as to damages suffered generally by the industry as a result of satellite piracy.

(B) Defendant's Evidence: Defendants will present testimony that they did not show the event and did not have a cable television subscription.

(C) The only factual issue is whether the event was shown by the Defendants.

(D) There are no jurisdictional questions.

(E) There are no pending motions.

(F) There are no issues of law before the court in dispute.

(G) There are no requested amendments to any pleadings.

(H) Counsel are aware of no additional matters which would assist the court.

(I) Probable length of trial: 2 days

(J) Plaintiff's witnesses: As set forth in (A), above

Defendant's witnesses:

(All Factual)

1. Paul B. Hammond
2. Caesar Loving
3. James Bolding
4. Wayne Daniels
5. Edward Twitty

6. Thomas E. Howell
7. James Cairns
8. Elynor Walcott

(K) Joint list of exhibits:

1. Report of Cody Waller
2. Affidavit of Cody Waller
3. Photograph of exterior of Paul's on the Square
4. Videotape of the broadcast of the event (portion shown while Cody Waller was present at Paul's on the Square).
5. Photograph depicting the outside of "Paul's in the Square"
6. Decision from the Licensing Board for the City of Boston regarding Defendant's petition to extend the closing hours dated July, 2001
7. Income Tax Returns for Aries Tavern, Inc., (including backup material) -- 2003
8. Daily ledger of Aries Tavern, Inc. -- March, 2003
9. Bank statements and checks for Aries Tavern, Inc. -- 2003
10. Plaintiff's Answers to Interrogatories

(L) None at this time.

(M) Not applicable.

For the Plaintiff:

For the Defendant:

DiMENTO & SULLIVAN



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